

FILED

November 16, 2021

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**BY: IR
DEPUTY

VIDEOSHARE, LLC,

Plaintiff,

v.

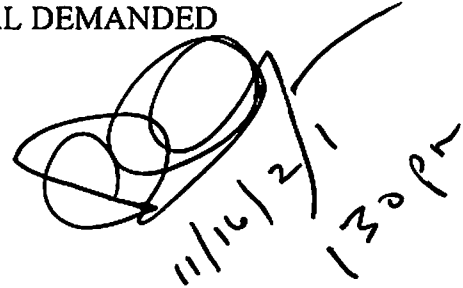
GOOGLE LLC and YOUTUBE, LLC,

Defendants.

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CIVIL ACTION NO. 6:19-cv-00633-ADA

JURY TRIAL DEMANDED

VERDICT FORM

When answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

As used herein, "VideoShare" means VideoShare, LLC, and "Google and YouTube" means Google LLC and YouTube, LLC. As used herein, "'341 Patent" refers to U.S. Patent No. 10,362,341.

We, the jury, unanimously agree to the answers to the following questions and return them as our verdict in this case:

QUESTION 1: DIRECT INFRINGEMENT

Has VideoShare proven, by a preponderance of the evidence, that Google and YouTube directly infringed the following claims of the '341 Patent?

Answer "Yes" or "No" for each claim.

("Yes" is a finding for VideoShare; "No" is a finding for Google and YouTube)

Claim 1: Yes ✓ No _____
Claim 3: Yes ✓ No _____
Claim 4: Yes ✓ No _____
Claim 5: Yes ✓ No _____
Claim 6: Yes ✓ No _____
Claim 7: Yes ✓ No _____

QUESTION 2: WELL-UNDERSTOOD, ROUTINE, AND CONVENTIONAL

Have Google and YouTube proven by clear and convincing evidence that the following claims of the '341 Patent recite elements that, when taken individually and when taken as an ordered combination, were well-understood, routine, and conventional as of the '341 Patent's priority date?

Answer "Yes" or "No" for each claim.

("Yes" is a finding for Google and YouTube; "No" is a finding for VideoShare)

Claim 1: Yes _____ No ✓

Claim 3: Yes _____ No ✓

Claim 4: Yes _____ No ✓

Claim 5: Yes _____ No ✓

Claim 6: Yes _____ No ✓

Claim 7: Yes _____ No ✓

If you have reached this point in the verdict form, you should have answered Questions 1 and 2. If you have not answered Questions 1 and 2, please go back and answer them before proceeding.

You should only proceed to answer Question 3 if you answered “YES” for any claims in Question 1.

If you answered “NO” for all claims in Question 1, then do not answer any further questions. Proceed to the last page, have your Jury Foreperson sign and date this Verdict Form, and then deliver it to the Court Security Officer. You should not pay attention to any other instructions between this point and the signature page found at the end of this Verdict Form.

QUESTION 3: DAMAGES

If you found the '341 Patent is infringed, what sum of money, paid now in cash, did VideoShare prove by a preponderance of the evidence would fairly and reasonably compensate VideoShare for Google and YouTube's infringement of the '341 Patent?

Answer in U.S. Dollars and Cents: \$ 25,900,000

You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your unanimous determinations. The Jury Foreperson should then sign and date the Verdict Form in the spaces below. Once this is done, notify the Court Security Officer that you have reached a verdict. The Jury Foreperson should keep the Verdict Form and bring it when the jury is brought back to the courtroom.

I certify that the jury unanimously concurs in every element of the above verdict.

Signed this 16 day of November, 2021

Jury Foreperson